

ORDINANCE P-27
ADOPTED FEBRUARY 20, 2008

P-27 MARICOPA COUNTY AIR POLLUTION CONTROL REGULATIONS
VEHICLE PARKING AND USE ON UNSTABILIZED VACANT LOTS

SECTION 1 - GENERAL

- A. PURPOSE:** This Ordinance restricts all vehicle parking and use on unstabilized vacant lots.
- B. APPLICABILITY:** This Ordinance applies to vehicle parking and use in the unincorporated sections of Area A that are within Maricopa County.

SECTION 2 - DEFINITIONS: For the purpose of this Ordinance, the following definitions shall apply:

- A. AREA A -** The part of the greater Phoenix metropolitan area where specific pollution control programs are in place for ozone, carbon monoxide, and particulate matter. As defined in Arizona Revised Statutes (ARS) §49-541(1), the area in Maricopa County delineated as follows:

Township 8 North, Range 2 East and Range 3 East
Township 7 North, Range 2 West through Range 5 East
Township 6 North, Range 5 West through Range 6 East
Township 5 North, Range 5 West through Range 7 East
Township 4 North, Range 5 West through Range 8 East
Township 3 North, Range 5 West through Range 8 East
Township 2 North, Range 5 West through Range 8 East
Township 1 North, Range 5 West through Range 7 East
Township 1 South, Range 5 West through Range 7 East
Township 2 South, Range 5 West through Range 7 East
Township 3 South, Range 5 West through Range 1 East
Township 4 South, Range 5 West through Range 1 East

- B. DESIGNATED OR OPENED TRAIL SYSTEM -** Roads or routes that are part of a system of trails and that are designated or opened by a government land management agency by order, sign, and/or map approved by such agency.
- C. ROAD OR HIGHWAY -** The entire width between the boundary lines of every way publicly maintained by the federal government, a city, a town or a county if any part of the way is generally open to the use of the public for purposes of vehicular travel. For purposes of this ordinance, the term "road or highway" also includes designated or opened trail systems and service roads regardless of surface composition, and any other property dedicated or otherwise reserved for public or private street uses, as evidenced by a recorded document, or having thereon a public easement for such use.
- D. VACANT LOTS -** Any of the following described in Section 2(D)(1) through Section 2(D)(4) of this ordinance:
1. An unsubdivided or undeveloped tract of land.
 2. A subdivided residential, industrial, institutional, governmental, or commercial lot that contains no approved or permitted buildings, structures, or uses of a temporary or permanent nature.
 3. A partially developed residential, industrial, institutional, governmental, or commercial lot.
 4. For the purposes of this ordinance, a vacant lot is not a road or highway.

- E. VEHICLE** - A self propelled device and its appurtenances, excluding devices moved by human power or used exclusively on stationary rails or tracks.

SECTION 3 - REQUIREMENTS

- A. RESTRICTED VEHICLE PARKING AND USE:** A person shall not park or use a vehicle on an unstabilized vacant lot within the unincorporated sections of Area A in Maricopa County.

SECTION 4 - VIOLATIONS, NOTICES, AND PENALTIES

- A.** A person who violates this Ordinance is guilty of a class 3 misdemeanor.
- B.** In addition to or in lieu of a fine pursuant to this section, a judge may order the person to perform at least eight but not more than twenty-four hours of a community restitution course related to the off-highway operation of motor vehicles.
- C.** For violations of this Ordinance, the Enforcement Officer shall use a uniform traffic ticket and complaint prescribed by the rules of procedure in civil traffic cases adopted by the Supreme Court. The Enforcement Officer may issue a citation to persons in violation of this Ordinance.

SECTION 5 - EXEMPTIONS

- A.** The property owner, person entitled to immediate possession of the property, or invitee who has lawful authority may operate such vehicles if such use does not violate any other applicable laws.
- B.** Any site that has been issued a permit by the Control Officer for the control of fugitive dust from dust generating operations.

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